

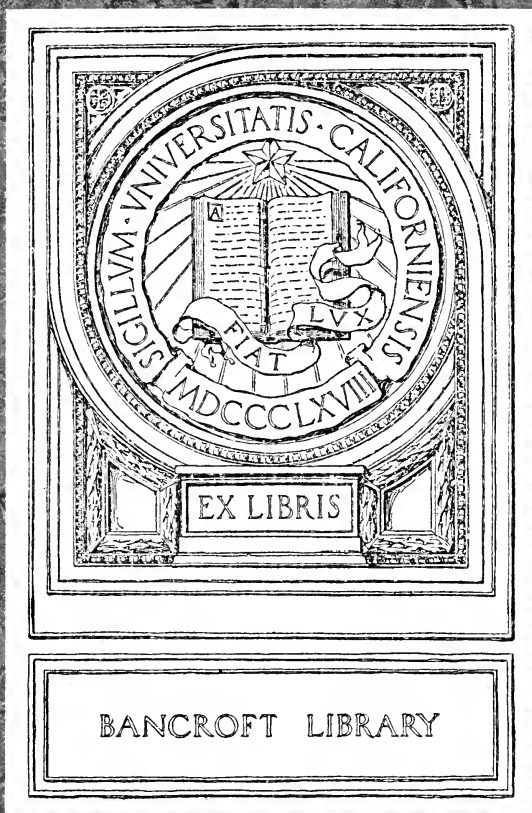
*Governor's Message to the Legislative Assembly of Utah*

**F**

829

.2  
U9

1861



EX LIBRIS

BANCROFT LIBRARY

## GOVERNOR'S MESSAGE

TO THE

## LEGISLATIVE ASSEMBLY OF UTAH.

GENTLEMEN OF THE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE TERRITORY OF UTAH:

The appointment of the President of the United States having devolved upon me the powers of Governor of this Territory, I now have the honor of addressing to you my first Executive message. The recent date of my appointment, and my arrival here only three days since, will, of necessity, render very imperfect what I may say to you, either by way of information of the state of affairs in this Territory, or of recommendation of measures of legislation; hence, I shall postpone the consideration of such local matter for a special communication, if necessary, and devote the most of the message to a review of the causes of the war which now is devastating our land, trusting that what I may say may not be regarded as idle words by this remote colony of people of the United States.

I come among you, the people of Utah, as one of you, to make this my home; and though a stranger to you, I have the earnest desire and hope, which are stimulants of strenuous effort on my part, that our now brief acquaintance may ripen into one of mutual respect and confidence, promotive alike of the honor and welfare of the United States, and of the best interests of the people of Utah.

I enter on the discharge of my duties, as the representative of Federal authority in this Territory, at an eventful period in the history of the United States. You, in common with the people of the whole civilized world, are now looking upon the painful spectacle of the people of this American Federal Union at war with each other. The noblest structure of political government ever created by the wants, or devised by the wisdom of men, is passing through the ordeal of civil war. Eleven of the slave-holding States, have openly repudiated the authority of the Federal

Constitution, and are now attempting, by force of arms, to establish an independent national government, under the name of "The Confederate States of America," into which a desperate and powerful, if not a numerous, minority of the people of Kentucky, Missouri and Maryland, are endeavoring to draw those slave-holding States.

It is, perhaps, unnecessary for me to enlarge upon what is probably already known to you, of the origin and progress of the war. I may, however, enumerate as among its causes: First—Different systems of labor and social life in the slave-holding States, involving essentially different opinions as to the morality and expediency of the domestic slavery of the African race. In the Northern States, productive labor, which is the basis of the material prosperity of society, is free and honorable—its way is legally unobstructed to wealth and honor. In the Southern States, labor is mainly servile or enslaved and, therefore, degraded.

Second—Conflict of sectional interests; the most populous and wealthy portions of the Northern States desiring to favor their commercial and manufacturing interests, which are predominant, by protective tariffs against foreign manufactures. The Southern States, on the other hand, whose interests are mainly agricultural, aiming to develop their agricultural wealth by freedom of trade; and each endeavoring to make the Federal Government auxiliary to its own sectional policy.

Third—Antagonistic political theories, coeval with the formation of the Federal Union, in regard to Federal and State rights; the Northern States having generally practically accepted the theory which recognizes the supremacy of the Federal Government, as a national government, created by the people of the United States as one nation; and the Southern States having as generally adopted

that theory of the Constitution, known as the strict construction or State's Rights theory, which holds the Constitution to be a compact or league between co-equal sovereign States, united in a confederacy not consolidated under a national government. The radical substantial difference between the two theories may perhaps be summed up in these words: The people of the Northern States generally regard their allegiance to the Federal Government, as paramount to their allegiance to their State Governments. While the people of the Southern States, as generally hold that their allegiance to their States is superior to their allegiance to the Federal Government. Hence a Northern man regards his State as having no political sovereign rights, except as a member of the Federal Union. And that, therefore, the secession of a State from the Union, or its resistance of Federal authority, is an act of rebellion or revolution to be put down by the strong arm of Federal power; whereas, a Southern State's rights man considers his State as having political rights and sovereignty, above and independent of the Federal Union; and that, therefore, it may, for cause to be determined by its own discretion, withdraw from the Union, or resist its authority, without affording just cause of war upon it.

It is deeply to be deplored that differences so radical should exist among the people of the United States, for their tendency is to impair the harmony of feeling and unity of interest and purpose, which are essential to the full development of the national prosperity and power. No wise man who surveys the magnificent and imperial territory upon which the Providence of God has placed the people of the United States, can fail to believe that they should remain one nation and one people; it may be one from many, but yet one among the nations, and that their true interests and glory are in unity and peace. But deplorable as the differences are, that have resulted in civil war, they do exist, and it is a historic truth that they did exist co-equal with the formation of the Federal Union and Constitution. In the convention of wise and patriotic men, who formed the Federal Constitution of 1787, these differences constituted the most serious obstacles to the framing of the Constitution, and, afterwards, to its adoption by the people. Had the councils of men of extreme and violent opinions prevailed, and the jealousy between some of the States been fostered, and the assertion of their separate sovereignty been carried to its natural results, the American States, after having nobly struggled to a glorious success through the seven years war for independence, instead of forming the union which gave them strength

and dignity, and started them upon a career of matchless prosperity, would have been divided into petty States, without national resources, without national dignity and power, and ever at the mercy of foreign foes and of the British Empire against which their united struggle had given them success. But the men to whom the destiny of the United States was committed at the close of the war of the Revolution, were Patriots and Statesmen. They were men of large hearts and clear heads. They plainly saw the dangers which threatened to divide the States, and they sought to avoid them. They therefore mutually discarded sectional views and jealousies, and brought to the formation of the Federal Constitution "*a spirit of amity, and the mutual deference and concession which the peculiarity of their political situation rendered indispensable.*" They did not urge differences of opinion or conflicting interests to their logical results; they conceded—they yielded—they compromised. The Constitution, the work of their hands, was based on compromise. The jealousy between large and small States was compromised by giving to each State equal representation in the Senate, and numerical representation in the House of Representatives. The differences between the advocates of a strong national government on the one hand, and a limited federal government, with strictly defined powers, on the other, were compromised by making a government partly national and partly federal. As to all its external and foreign relations, the government became a national one. In its internal relations, it remained federal, each State retaining its sovereignty and independence, as to all its local and internal concerns. The differences of anti-slavery men and of the advocates of slavery were reconciled by fixing a period when the Congress should have power to terminate the foreign slave-trade, which was a subject within the legitimate scope of national legislation, and by virtually recognizing slavery, without naming the words slavery or slaves, as the creature of local law, and by leaving slavery in the States as the Constitution found it—a domestic institution—the subject of local or State, not of Federal, legislation.

Notwithstanding the wise compromises of the Constitution, it was not to be expected that the causes which produced diversity of opinions and difficulty in framing the Federal Government, would wholly cease to operate with the growth and prosperity of the nation. The experience of human nature gave no guaranty of so benign a result. Brave and patriotic and intelligent, as they proved themselves to be in the establishment of their independence and in forming their system of

government, the American people had no claim to immunity from the general failings of men. Wise as was the plan of government they adopted, they were liable to depart from its spirit, and thus impair its efficiency, and endanger its existence. There was, however, strong hope in patriotic men that the wisdom of the people, the practical good sense characteristic of the race, would always prevent the causes of jealousy and dissension between different sections of the Union from coming into angry collision and overleaping the limits and safeguards of their self-created Constitution. In this hope, there has been disappointment. The people of the United States have not proved themselves to be as wise as the fathers of the Republic hoped they would be. Disregarding the injunctions of Washington in his farewell address, and the teachings of his illustrious compeers; disregarding the sacred compromise of the Constitution itself, men in different sections of the Union have not failed, reckless of consequences, to urge radical opinions upon various questions of policy, especially the question of domestic slavery, that could not but terminate, when thus urged, in the formation of sectional parties, and a consequent destruction of the harmony and moral power of the Union, which are the main elements of its perpetuity.

It is not my purpose to take a partizan, but a dispassionate and patriotic view of our national troubles, and in doing so I would falsify the truth of history should I fail to say that neither the Northern people nor the Southern people are wholly free from blame for the great evil that has come upon the nation. Upon a question like that of slavery which has been the most prominent among the causes disturbing the harmony of the Union; a question involving moral, religious, social and political considerations, concerning which wise and good men in different ages have widely differed, it was not wise for men in either section of the Union to assume to be wholly right and their opponents wholly wrong, nor wise to allow differences of opinion to ripen into a sectional party spirit and hatred, so intense and rancorous that they aspired the throne of reason, and incapacitated men from seeing measures and events, except as through a glass darkly. The atmosphere of passion is ever an unsafe medium through which to look either upon men or things. The Federal Constitution had dealt with the subject of slavery as a political one, in the spirit of compromise, and it was the duty of all men loyal to the Constitution to continue so to deal with it. It was not, therefore, well for the people of either section, to give heed and influence to the sayings of men of extreme opinions in regard to it. The for-

mation of a political party in the Northern States, upon the distinct basis of hostility to slavery, insignificant as that party was in its beginning, was ominous of evil. The people should have foreseen that beneath the rending and disintegrating power of such a wedge of disunion, the Federal Union, though strong as gnarled oak, must eventually be rent asunder. It has been a cardinal error of the people of the Northern States, towards their Southern brethren, to permit a fanatical abolition party in the North to enlarge its borders and strengthen its stakes, and to gain political consequence and power, until the opinion has been created among the Southern people that the whole Northern mind is imbued with bitter hostility to the Southern people, and a determination to destroy, through the intervention of Federal power, the Southern domestic institution of negro servitude. Influenced by this opinion, Union loving men of the Southern States have been led to the conclusion that the harmony of the Union was forever at an end, and to look, almost without regret, upon the prospect of its dissolution, an idea once utterly repulsive to the whole American mind. On the other hand, impartial justice demands that I should say, that the people of the South, sensitive, hot blooded, impulsive, and fond of rule, instigated and misled by ambitious political leaders, have been too much disposed to scoff at and defy the intelligent moral sentiment of the Northern people on the subject of slavery, and to force them by arrogant and insolent denunciation, to formally approve, as a political and social good, what they firmly believe to be a political and social evil. The people of the South have unwisely claimed a political importance and power for their domestic institution of slavery, not belonging to it. They have claimed rights for it under the Federal Constitution which the Constitution does not award to it. Indeed, the people of neither section have been willing, as to this exciting question of slavery, to let each other alone, and in the spirit of mutual forbearance and kindness and national brotherhood to pursue the even tenor of their way, each content to form and regulate its domestic institutions in its own way, subject only to the Constitution of the United States.

From year to year, for many years past, the disharmony of the Federal Union, growing out of the subject of slavery and the other causes of difference to which I have alluded, has been increasing, encouraged by abolitionists at the North and the ultra slavery men of the South. Against this agitation the wisest and best men of the Republic have manfully contended. The struggle of 1820, in regard to the admission of Missouri into the Union, a struggle which shook the Union to



its center as with the throes of dissolution, was safely passed by a compromise, wholesome at the time, but not, as the result has shown, resting upon a permanent self-adjusting principle, adapted to all future cases that might arise with the expansion of national territory and the changing relations of States. The next great struggle was that resulting in the Compromise Measure of 1850, with which the history of your own Territory is identified. Your organic law was one of these Compromise measures, and it bears the impress of the minds of the great statesmen Clay, Webster and Douglas, whose voices were potent in the national Senate, but are now hushed in death. It recognizes the right of a people of an organized Territory to exercise their legislative powers upon all rightful subjects of legislation, consistent with the Constitution of the United States, and to be admitted as a State into the Union with or without slavery as their Constitution may prescribe at the time of their admission.

The Compromise of 1850 was of vital moment to you, if I may say so, the peculiar people of Utah, for it embraced a principle upon which you seized as a protection to you in your right of conscience, and in the formation and regulation of your own domestic and social polity, so long as it conforms to republican principles of government and to the supreme law of the Federal Constitution.

It is, however, to be observed that as under the name of liberty many unblushing crimes have been committed, so under the doctrine of the sovereignty of the people of a State or Territory, excesses may be attempted which were never contemplated by the framers of the Constitution of the United States, to be guarded against and destructive of the great ends of government; hence, under such circumstances it should be the duty of Congress to act *pro re nata* more with reference to the equity of the case than to the question of the legality or constitutionality of the power to be exercised, a course which will be found indispensable to the maintenance of internal peace, concord and justice, each of which is an element of Union.

The Compromise of 1850 met the approval of the nation, except perhaps the small minority of men of radical opinions, with whom agitation and controversy are ever congenial elements, and to whose political importance they are necessities. It seemed to bring back and settle the administration of the government, upon the principle of compromise by which the Constitution itself was formed. It distinctly recognized as the true solution of the question of slavery, and of all other questions of domestic or local policy in the States and Territories—the principle that each

State and Territory should decide for itself, independent of the will or action of Congress, what local or domestic institutions, *consistent with the nation's organic law*, the people should have.

The Compromise measure of 1850 worked well, but it did not satisfy ultra men North or South. Their fiery and intolerant zeal could not be calmed even by that great and wise measure of peace. Therefore to carry out to what he believed to be the logical and proper result's the principle of the Compromise Measure of 1850, and to establish a principle upon which all Territories of the United States should thereafter be organized, and to put an end to the agitation in Congress, or as a question of Federal policy, on the subject of slavery in the national Territories, Senator Douglas, of Illinois, introduced into the organic laws of Kansas and Nebraska, in 1854, a distinct declaration of the intention of Congress not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. This was as clear and comprehensive a declaration of the sovereignty of the the people of the Territories of the United States, over their own local affairs, as any well meaning people cordially loyal to the Federal Constitution could desire. To remove every obstacle to the free action of this great principle of democratic government, the 8th section of the act of Congress of March 6th, 1820, known as the Missouri Compromise, which prohibited slavery north of latitude 36° 30', was declared inoperative and void, and as inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the compromise legislation of 1850.

A measure so radical and far-reaching, involving the abrogation of the time-honored Missouri Compromise restriction, was not at once clearly and fully understood by the people, and it therefore so greatly agitated the public mind, and met with such bold and vigorous opposition in the north as to make even the friends of the great principle doubt the propriety of introducing so suddenly a measure so startling in its consequences. I need not say that I was among the opponents of the abrogation of that "restriction," because the parties to the compromise could not be remitted to their former status; but as the true relation of the great principle of popular right as embodied in the Kansas and Nebraska act, to the subject of slavery, was developed, the opposition thereto lost force, and the people virtually endorsed the measure by the election of Mr. Buchanan in 1856.

History has not yet fully pronounced her impartial verdict upon the wisdom of the Kansas-Nebraska act of legislation of 1854, but fair-minded men of all parties are rapidly coming to the conclusion, aside from the unfortunate embitterments it created by the repeal of the Missouri Compromise, that it afforded the best practical disposition by Congress of an exciting and dangerous question, one which threatened the longevity of our institutions. This assertion is confirmed by the fact that the party of the Administration now in power, which was organized and triumphed upon the basis of congressional prohibition of slavery in national territory, by its majority in Congress this very year, organized the territories of Nevada, Colorado and Dakota substantially on the very principle of congressional non-intervention with slavery, which was the distinctive feature of the Kansas-Nebraska act of 1854.

Had the principles of that act been generally approved, and fairly carried out, without interference from the Federal Government, then under the administration of President Buchanan, it can not be doubted that the civil war that now clothes the land in mourning, would have been avoided. But it was not to be. Men of strong anti-slavery opinions in the north, who had looked upon the Kansas act as an instrument by which slavery was to be introduced into Kansas, set to work, even pending the passage of that act, to fill up that territory by free immigrants from the northern States, while on the other hand, political leaders in the south, who had hoped by the Kansas act for the same result which northern men feared, set on foot a movement from Missouri and other slave-holding States, to possess themselves of political power in Kansas, so as to establish slavery there. These opposing tides of immigration, or invasion, as it in part might be justly called, led on by violent, and in many cases lawless men on both sides, soon came in collision on the plains of Kansas, and the Kansas civil war was the result.

It is due to truth to say that, in the conflict of opposing forces, the southern leaders were able to command the aid of Mr. Buchanan's Administration. Its power and patronage were unscrupulously brought to bear to strengthen the slave-holding interest in making Kansas a slave State. This bold and bald attempt in the interest of slavery, and in the face of its organic law, to override the popular will of the people of Kansas, signally and justly failed. The attempt and its failure demoralized the Democratic party, the most powerful political party known to American history, and at the same time combined in formidable union with the great Republican

party of 1860, the anti-slavery opinion of the north. With the defeat of their cherished hope of forcing slavery into the national territories by means of the abrogation of the Missouri Compromise and the Dred Scott decision, the ambitious political leaders of the south saw that the sceptre of their political power had departed, and they became desperate and treasonable.

Unable to defeat the nomination for President, of Mr. Douglas—the champion of popular sovereignty and the acknowledged leader of the northern democracy, by the Charleston convention of 1860—the southern faction with the co-operation of a few northern allies, divided the Democratic party and prepared the way, not only for the success of the opposition at the north, but for the dissolution of the Federal Union.

The conspiracy to destroy the Democratic party and Senator Douglas was successful. The Northern Democracy stood faithfully by its brave and patriotic leader, and most of the Free States stood by the patriotic leader of the Republican party—Abraham Lincoln, and his party triumphed. The event was seized as a pretext for open treason, and was soon followed by the secession of South Carolina, and other slaveholding States, and the opening of civil war in the bombardment of Fort Sumter.

Fresh from the excitement of the great campaign of 1860, the party in power, flushed in with success, and the secession leaders of the South, desperate with disappointment and defeat, were neither in the mood to survey calmly the angry sea of national affairs. The spirit of compromise—the guardian genius of the unity of the nation and its constitution, was for a time discarded or unheeded. Between the secession of South Carolina and the fall of Fort Sumter, a few noble and manly efforts were made in Congress and in the Peace Conference of 1861, to restrain compromise and to stay the swelling tide that was bearing the nation to the yawning abyss of civil war, but they were in vain. The enraged sea rolled not back when Canute gave command, and the Power that rules the sea and the storm, and holds the nations in the hollow of His hand, was too strong for even the efforts of wisdom and patriotism to stay His purposes. For wise purposes which His only will reveal, Providence has permitted the American people to be tried in the furnace of affliction, which is now heated for them.

There can be no difference of opinion among men, unbiassed by passion or prejudice, as to where rests the responsibility of beginning this civil war. Whatever may be our opinion of the folly and violence of abolitionists in the North—or pro-slavery men in the South—

up to the hour when the national banner came down before the guns of the Confederate States, at Fort Sumter, the Federal Government had been void of offence towards the South in regard to its peculiar institution of slavery. It had fulfilled all its constitutional obligations to them—even if it had not gone beyond them—as in the case of Kansas, in the interest of slaveholders, and in no respect had the South sustained any wrong at the hands of the Northern people, but what could have better been remedied by calm and kind appeals to the intelligence and justice of Northern majorities, under the forms and within the jurisdiction of the Constitution, than by a dissolution of the Federal Union, and an appeal to arms in the ordeal of civil war.

Attacked, as it was, by open and avowed rebellion, the Federal Government—the trustee of the whole nation and the representative of its power and glory before the world—could not but stand upon its defence, and repel force by force. To have admitted by passive acquiescence, in the attempt of withdrawal of the cotton States, the doctrine of secession as a constitutional right of any State—would have been an act of imbecility in the Government, worse than suicide. It would have been a virtual abdication of governmental power, and treason to the American people. The Government could not, without degradation and dishonor, do otherwise than defend itself. This is its true position. The war, so far as the Federal Government is concerned, is a war to defend the national existence and Constitution; not to change the Constitution—not to subvert the Federal system of Government—not to abolish African slavery, nor to interfere with the social and domestic institutions of the people of any of the States or Territories—not to subvert the sovereignty of States and hold them as conquered provinces—not to wantonly devastate and destroy. The Government must discharge its high and holy duty to the American people of maintaining the government given them by their fathers, by compelling rebellion (by the strong power it has madly invoked) to lay down its arms, and yield to reason and the authority of the nation's fundamental law. This be assured, men of Utah, is the high purpose which guides the policy and measures of the Federal Administration, and nerves the hands and hearts of the men who follow the banner of the Union. The Government is fully awake to its mighty responsibility, and it will manfully meet it in the fear of God and in confidence of his aid. Men of Utah, are you ready to assist?

The war, thus developed by events from the causes which I have stated, has in fact begun. It is no mean contest. The rebellion or revo-

lution, by whatever name men see fit to call it, is one of giant proportions. It is backed by the power of ten millions of people, whom their leaders represent to be of one mind to carry it forward to success. On the other hand, the rebellion is met in the spirit of an earnest and determined patriotism by over twenty millions of free people, intelligent, brave, rich in material resources and power of war, strong in moral power, and resolved as with one will, in the strength of God and their own power, that the Federal Union, the national life—the issue of a struggle in which heroic hearts shed their blood like water—must and shall be preserved. Men of Utah, do you like this resolution? If need be three millions of stalwart men stand ready, upon Northern soil, to assume arms and to conquer or die in defence of a government whose existence, up to the hour when lawless ambition struck at its life, was the glory and the hope of the civilized nations of the earth. Men of Utah! are you ready to join that host?

A treasonable attempt has been made by parricidal hands to destroy a government based in clear acknowledgment of the universal rights and intelligent capacity of man for self government—a government which, while it holds in itself the material and moral power of a puissant nation to build up or to destroy, to attack or defend, has yet even in its operations and influences upon its people, been as gentle and beneficent as the genial rays of the sun or the dews that distil from evening air upon the earth on which they fall.

The great question now before the American people and the world is, shall this great and beneficent government, whose name and flag have been a shield to its people all over the earth, and a hope to the oppressed of all nations, be now destroyed by the hands of its own sons? Shall it go down amid the horrors and desolation of civil war, leaving only the blackness of ashes to mark where it stood; or shall it emerge and rise in renewed strength and beauty from the clouds and darkness that rest upon it? Shall it, or not, as the Holy Word describes the Christian Church, once more come up out of the wilderness, fair as the sun, clear as the moon, and terrible as an army with banners. Men of Utah! what answer will you make? Why need I ask you where you stand on this great question? Here, in this peaceful valley, which you, by wonderful perseverance and industry, have reclaimed from a state of nature, and made its sterile plains blossom as the rose, as few people on earth could, and for which you are entitled to the thanks of the nation—here, far removed from the scenes of conflict, where your brethren and fellow citi-



zens are ruthlessly shedding each other's blood, you can not but look with deep, earnest interest upon the struggle and its final result. United, as you are, in the bonds of a peculiar faith and social life, which has, in a measure, separated you, as a peculiar people, from your American brethren, you are yet bound to them by the ties of kindred, language and country, and the recognition and worship of the same Divine Father and Lord and Savior Jesus Christ. You are a people of the United States, and I was rejoiced to hear how you stand affected toward the Federal Government—the Union and the Constitution. In the city of Washington, a few weeks ago, it was my pleasure to read the first dispatch of the President of the Mormon Church, the sentiment of which was correct, and also about the same time to read another from the then Acting Governor—the Hon. Frank Fuller, which signified the loyal faith of this people to the great Federal Government. This important message, on the lightning's wings, was but a confirmation of previous utterances of Ex-Governor Brigham Young, expressive of his high appreciation of the Constitution of the United States. He had before said:

"I want to say to every man, the Constitution of the United States, as framed by our fathers, was revealed—was put into their hearts by the Almighty, who sits enthroned in the midst of the heavens; although unknown to them, it was dictated by the revelations of Jesus Christ, and I tell you, in the name of Jesus Christ, it is as good as I could ever ask for. I say unto you, magnify the laws. There is no law in the United States, or in the Constitution, but I am ready to make it so able."

It confirmed also the words another of your eminent men, General D. H. Wells, when, in speaking of the sentiments of the Mormon people towards the United States, he said:

"That country—that Constitution—those institutions were all ours; they are still ours. Our fathers were heroes of the Revolution. Under the master spirits of an Adams, a Jefferson, a Washington, they declared and maintained their independence; and under the guidance of the Spirit of Truth they fulfilled their mission, whereunto they were sent from the presence of the Father."

And again, he said in your behalf:

"Never! no, never, will we desert our country's cause; never will we be found arrayed on the side of her enemies, although she herself may cherish them in her bosom; although she may launch forth the thunderbolts of war, which may return and spend their fury upon her own head. Never! no, never, will we permit the weakness of human nature to triumph

over our love of country, our devotion to her institutions, handed down to us by our honored sires, and made dear by a thousand tender recollections."

And now that the country is still the same—the Constitution the same—the institutions the same—all ours, and a state of war exists—will you not be found arrayed on the side of that Constitution—that Union—that Government "revealed and put into the hearts of our fathers by the Almighty?"

Believing that such noble sentiments of patriotism animated the breasts of the people of Utah, I undertook the long and tedious journey which has brought me here to your isolated home among the mountains of Deseret, trusting that I should find here the same faith, and hope, and love for the Federal Union, its Constitution, and its laws, as animate the hearts and nerve the arms of my own people of Indiana, nearly forty thousand of whose youth are already scattered from Missouri to the Atlantic coast, under arms for the nation's defence; and that noble State is prepared to triple, on the field of battle, the number of her sons, when the nation's need calls for them.

If wisdom and true patriotism, and the spirit of enlightened Christian humanity, continue to guide the policy of the Federal Government in the conduct of the war, as there is no doubt they will do, there can be no question of its final result. Temporary reverses to the Federal arms, afford no criterion of the ultimate victory; that must be with the strongest arm, sustained as it is by the right. Weary of a contest, however as it is disastrous, the people of the South, seeing by the course of the Federal Government that it has no design in the war to do aught but maintain the rightful authority and dignity of the Constitution, and learning that they have been wickedly misled by designing men, will ultimately, and ere long, lay down their arms and be content, nay, glad, to take their old places in the Union, co-equal sharers in all the rights and powers incident to it.

I have deemed it due to the occasion thus to dwell somewhat at length upon national affairs, and have endeavored to deal with them in a patriotic and candid spirit, so that they might be seen as they are, and there be no misunderstanding between us in regard to them.

That the true interest of the people of Utah is with the Federal Union no rational man can doubt; and let no man urge a different course, for such will be a dangerous one.

The boundaries of your Territory place it within territory consecrated by the laws of nature to free labor; its isolated position calls

For the protection of a powerful government, and for its aid in the development of its material resources. Surrounded as it is by organized Territories of the United States, soon to develop to the proportions and power of free States of the Union, Utah has a common interest and common destiny with them. Isolated it is weak, and this let no men controvert; united in the bonds of the Federal Union it shares its powers, its prosperity, its glory and its ultimate destiny. Let this sink deep into the hearts of all true men of Utah.

In reference to my own policy as the executive authority of this Territory, I have only to say that I am here faithfully and honestly and fearlessly to discharge my duty under the laws and Constitution of the United States and the laws of the Territory of Utah consistent with them. In the language of your distinguished citizen Brigham Young, "I say unto you I will magnify the laws; there is no law of the United States, or in the Constitution but I am ready to make honorable," and to this end I shall, as is my right, ask and confidently expect the cordial co-operation of the Legislature and people of Utah, as they will find in me a cordial co-worker in all that concerns their peace and substantial good.

Keeping in view the loyalty of this people, I refer you to the act of Congress, entitled "*An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes*," Approved, Aug. 5, 1861, by which the sum of \$26,982 is levied on this Territory to be collected annually either through officers of your own appointment, or by such as the law itself provides, of a Federal character. Let this law be made honorable; let it be magnified at the earliest possible period by legislative action and thus put yourselves before the world vindicated of the charge of disloyalty, which I regret to say has obtained some credence in portions of the United States.

The establishment of the Overland Daily Mail from the Missouri river to the Pacific Ocean, being one of the great enterprises ever undertaken on this continent, and of vast importance and advantage to this Territory, and the company having manifested astonishing and commendable ability and energy in the transportation of the mail since it has had possession of the route, I deem it entitled to the utmost confidence of the public and of the Government of the United States. And passing as it does for so many hundred miles through the Indian country, the security of the mail and the safety of the passengers and employees of the company, aside from the safety of the great tide of immigration and travel pushing westward, demand the protection of the Government of the United

States; and, to this end, I recommend that you memorialize Congress on the subject, asking appropriations of money to improve the roads and build bridges at places on that line and in your Territory, such as seem indispensable. Also the appointment of agents at convenient distances along the line, to meet and confer with the Indians and supply their wants, as well as the occupation of commanding points, by a small yet efficient military force, passing frequently along the line, keeping good order and peace, and giving safety to mail and travelers against savage and civilized marauders. My recent travel over the line from the Missouri river to this city, satisfies me of the necessity of such action on the part of Congress.

In connection with this, is the location and construction of a railway to connect the roads constructed westward to the Missouri river, with the road built eastward in California. Trade and business between the eastern and western sections of the United States appear to have selected by the stage and telegraph routes, the most convenient route for this great artery of commerce and bond of unional strength, which, as it passes nearly the entire length through the Territories of the United States, may, without a question as to the Constitutional power of Congress, be located and constructed by the authority of Congress and with the funds of the United States. The character of the country is such for the greater part of the distance, that it is too much to expect that it can be constructed by private capital; and, as it must become a national road, it is right that it should be made by the nation. On this subject I also recommend you to memorialize Congress.

The extinguishment of the Indian title to such portions of the Territory as may be desirable for agriculture, appears to be equally demanded by the condition of the Indians and the progress of settlement. The survey of the public lands and the establishment of land offices, the appointment of proper officers, and the sale of the lands, will enable the settlers to procure title to the lands occupied and improved by them; which seems to me to be necessary for their security and prosperity.

Free grants of land having been made by the General Government to the first settlers of some other Territories, and the propriety of such a course having, in most instances, been proved, I deem it eminently proper and wise for Congress to grant the same privileges and bounties to the settlers of this Territory; and to effect this, I urge you to make early application to Congress.

The acts of Congress organizing the Territories of Colorado and Nevada, having dis-

arranged the boundaries of some of the judicial districts of the Territory, as also the limits of some of the counties of the Territory, I bring the subject to your notice that it may receive your action with as little delay as possible.

The stability of a Constitution, and hence of a government, depends more on public opinion than it does on its structure; and the principles of a people will prevail regardless of Constitution or laws. Hence, to have a good Constitution respected, and the government revered by the governed, the people must be enlightened and free, and vigilant in their duties. That mind which is enslaved is not a free agent; nor can it enjoy freedom. When the will is a vassal, nothing is more degrading. A mind, not its own, can not be free—it is a slave and in chains, though so well gilded as not to be self-seen. And it is in such a state of society that encroachments on private rights are common, and permanent mischief hourly deplored.

Without education and intelligence general and diffuse, the best constitution and government, and laws the most wise, can never, in a democratic government, have permanent claims to longevity, nor the people, peace, tranquility or justice.

In a good government, where wisdom and intelligence bear sway, the laws have a moral force far beyond the fears which their penalties awaken; for, in such a condition of things, as the laws support all, so all support the laws; and every infraction thereof is a thrust at the peace and security of every citizen.

With these remarks, I commend to you the subject of education, which, I sincerely hope,

will be fostered by you, and the children of the Territory thereby educated; educated in the habits and principles of freemen. I have more especial reference to common schools, which are to educate the masses, because the situation of your Territory is such that, at present, colleges can not be sustained. Such schools are indispensable to the great happiness and glory of the Territory. Every child in the Territory should be educated, because they are the children of the Territory and the subject of its guardian care.

The condition of the Territorial Penitentiary not having been reported to me, I can convey no information to you concerning that institution.

The financial condition of the Territory has been reported to me by the Auditor and Treasurer of the Territory, respectively; and I herewith submit their reports, as accompanying documents for your consideration.

Having now presented you with the substance of my message, I deem it proper to conjure you, as I would all other American citizens, to remember that, if ever there was an hour which, more than another, called for loud and earnest enunciations of true American principles, inspired by the memory of the past and the greatest hopes of the future, the unity and peace, of the Union of the States, that hour is NOW. Let us, therefore, be all encouraged by the patriot's hope, that peace may again return. Let us be true to God, true to ourselves, and true to our country and mankind, and all will be well.

JOHN W. DAWSON,  
Great Salt Lake City, U. T.,  
Dec. 10th, 1861.



